

**To:** Curtin, James[curtin.james@epa.gov]  
**From:** Horwitz, Sylvia  
**Sent:** Tue 3/17/2015 2:13:51 PM  
**Subject:** RE: WV coal mining NPDES permit legislation

Thanks, Jim. I'll talk to Stef and we'll figure it out. Also, Steve's not in today, but this inquiry came about because of the request for a meeting with Avi. [REDACTED]  
[REDACTED]

Sylvia Horwitz

Office of General Counsel

Water Law Office

WJC North 7353H

Phone: 202-564-5511

**From:** Curtin, James  
**Sent:** Tuesday, March 17, 2015 9:40 AM  
**To:** Horwitz, Sylvia  
**Subject:** RE: WV coal mining NPDES permit legislation

Sylvia,

Should I assume you or Stef will set up the call?

My calendar is up-to-date, but note that I'll be off-line in Florida on Thursday, Friday and most of Monday.

Jim

Jim Curtin

USEPA Office of General Counsel

Water Law Office

202-564-5482

William Jefferson Clinton North Rm. 7451

**From:** Horwitz, Sylvia

**Sent:** Tuesday, March 17, 2015 9:36 AM

**To:** Shamet, Stefania

**Cc:** Srinivasan, Gautam; Messier, Dawn; Rivera, Nina; Capacasa, Jon; Field, Stephen; Schroer, Lee; Curtin, James; Neugeboren, Steven

**Subject:** RE: WV coal mining NPDES permit legislation

Thanks Stef. Sounds like a call would be a good idea. I am adding Jim Curtin and Lee Schroer to the recipients [REDACTED] and Steve Neugeboren to let him know the background. More to follow . . . .

Sylvia Horwitz

Office of General Counsel

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Phone: 202-564-5511

**From:** Shamet, Stefania

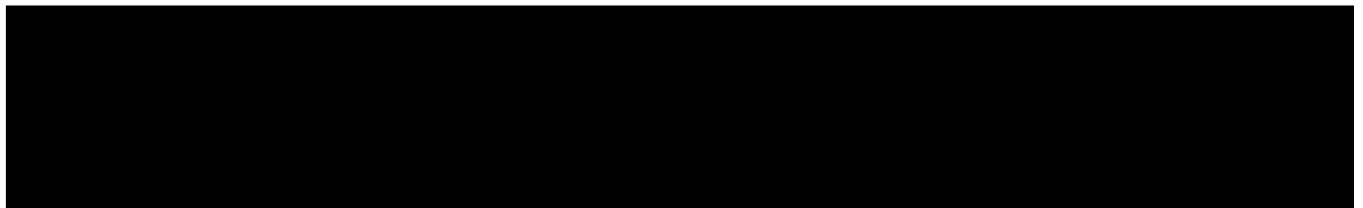
**Sent:** Tuesday, March 17, 2015 5:00 AM

**To:** Horwitz, Sylvia

**Cc:** Srinivasan, Gautam; Messier, Dawn; Rivera, Nina; Capacasa, Jon; Field, Stephen

**Subject:** Re: WV coal mining NPDES permit legislation

Sylvia --



I am very sure that our RA and Water Protection Division Director will be very interested in this and in Avi's response. I also suspect we will need to run it by DOJ given the various related lawsuits.

Perhaps it would make sense to set up a conference call to discuss?

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**From:** Horwitz, Sylvia  
**Sent:** Monday, March 16, 2015 1:02 PM  
**To:** Shamet, Stefania  
**Cc:** Srinivasan, Gautam; Messier, Dawn  
**Subject:** WV coal mining NPDES permit legislation

Hi Stef –

Avi Garbow has been contacted by PublicJustice PC, requesting a meeting to discuss the latest

in the WV coal mining legislation/regulation developments. [REDACTED]

[REDACTED] The letter is attached – and in it they articulate concerns with the revised regulations implementing SB 615

Did WV DEP submit their revised 47 CSR §30 rules to EPA for approval as a modification to their approved NPDES program under 40 CFR § 123.62? If so, is there written correspondence about that?

They are also writing about SB 357 – have you been following this?

I've downloaded the state senate bills and the state revised regulations, which are also attached.

Before Avi can respond to this letter, we'd like to find out what's been going on - we'll also check in with OWM regarding issues of state program authorization. I'm sure others in the region should be brought into this – feel free to forward this to the appropriate folks in the region, and please cc me so 'll know who to include on subsequent communications. I'm cc'ing Dawn Messier as well, because I think coal mining is in her portfolio.

Thanks!

Sylvia Horwitz

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